

IN THE SENATE OF THE UNITED STATES.

JANUARY 13, 1858.—Ordered to be printed.

Mr. DAVIS made the following

REPORT.

[To accompany Bill S. 59.]

The Committee on Military Affairs, to whom were referred the petitions of Lieutenant James G. Benton, Brevet Majors E. B. Babbit and James Longstreet, of the United States army, having had them under consideration, report:

It appears that while these officers were stationed at San Antonio, Texas, in July, 1850, application was made to them, respectively, for ordnance stores, quartermaster's stores, and subsistence stores, by Parker H. French, the chief of a body of emigrants, on their journey to California.

The said French bore and exhibited to the petitioners what purported to be a letter of credit from Howland & Aspinwall, of New York, and he possessed the confidence of numerous citizens and merchants of Texas, to some of whom he was personally known. He was the acknowledged chief of an emigrating party, and was, to all appearances, a reliable and responsible man.

By authority of the joint resolution of Congress, approved March 2, 1849, officers in these departments are allowed to sell to persons emigrating to California such stores as the state of the public supplies will permit, and, with the concurrence of Brevet Major General Brooke, they sold to the said French as follows: ordnance stores, \$1,021 04; quartermaster's stores, \$519 93½; subsistence stores, \$448 98; for which said French gave them separate drafts upon Howland & Aspinwall, of New York, which drafts, having been forwarded for collection, were protested for non-acceptance. It was then discovered that the letter of credit exhibited by French was a forgery, and all his representations were false. Several of the best merchants of San Antonio were at the same time and in the same manner imposed upon for large amounts of money, &c., and the impostor has fled beyond the reach of law. It is apparent that these petitioners, in all these transactions, exercised due diligence, acted under the instruction of

their commanding general, and that the money was lost without any fault of theirs. The committee, while they think these officers may have erred in taking anything but money in exchange for these government stores, yet they are satisfied that they acted in good faith towards the United States, and therefore recommend a bill for their relief, authorizing and directing the proper accounting officers of the treasury to credit their accounts the several amounts of which they were respectively defrauded.